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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Michael BINNARD, *et. al.*

Serial 10/021,053

No.:

Confirmation No.:9790

Filed: December 19, 2001

Docket No.:06550003AA

(Formerly "PAO-246")

Group Art Unit:2834

Examiner MOHANDESI, Iraj A.

For: **FOLLOWING STAGE PLANAR MOTOR**

United States Patent and Trademark Office
Customer Service Window, Mail Stop: Issue Fee
Randolph Building
401 Dulany Street
Alexandria, VA 22314

COMMENTS ON STATEMENT OF
REASONS FOR ALLOWANCE

Sir:

In response to the Notice of Allowability, mailed by the U.S. Patent and Trademark Office on March 1, 2005 and a Supplemental Notice of Allowability faxed on May 17, 2005, and to the Reasons for Allowance attached thereto, Applicant wishes to clarify the record with respect to the basis for the patentability of claims in the present application. Applicant submits that the claims in the present application recite a combination of features, and the basis for patentability of these claims should be based upon the totality of the features recited therein.

Applicant further submits that the Examiner has based the allowance on features that are not even present in the claimed invention, and thus has unduly restricted or narrowed the claims. For example, the Examiner indicates allowable subject of claim 41, in part, that a levitation device distinguishes over USPN 5,763,965; however, claim 41 does not recite a levitation device and thus should not be considered in the reasons for allowability of this claim. Additionally, the Examiner notes reasons for allowance for claim 31; however, claim 31 is not pending in the application since it was canceled.

Additionally, Applicant submits that paragraph number 6 of the Notice of Allowability also appears to be incorrect. Applicant submits that the reasons for allowance, in this paragraph, should refer to claims 27 and 30, and that these claims are allowed for the features recited therein.

Should the Examiner have any questions or comments about the above, he is respectfully requested to contact the undersigned at the below-listed telephone number.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Andrew M. Calderon', with a stylized flourish at the end.

Andrew M. Calderon
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